



PUBLIC NOTICE

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DA No. 07-599

Report No. SCL-00025

Thursday February 8, 2007

ACTIONS TAKEN UNDER CABLE LANDING LICENSE ACT

Section 1.767(a) Cable Landing Licenses, Modifications, and Assignments or Transfers of Control of Interests in Cable Landing Licenses (47 C.F.R. § 1.767(a))

By the Chief, Policy Division, International Bureau:

Pursuant to An Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§ 34-39 (Cable Landing License Act), Executive Order No. 10530, Exec. Ord. No. 10530 reprinted as amended in 3 U.S.C. § 301, and section 1.767 of the Commission's rules, 47 C.F.R. § 1.767, the following applications ARE GRANTED. These grants of authority are taken under section 0.261 of the Commission's rules, 47 C.F.R. § 0.261. Petitions for reconsideration under section 1.106 or applications for review under section 1.115 of the Commission's rules, 47 C.F.R. §§ 1.106, 1.115, may be filed within 30 days of the date of this public notice.

This public notice serves as each cable landing licensee's Cable Landing License, or modification thereto, pursuant to the Cable Landing License Act and sections 1.767 and 1.768 of the Commission's rules. Cable landing licensees should review carefully the terms and conditions of their licenses. Failure to comply with these terms and conditions or relevant Commission rules and policies could result in fines or forfeitures.

The Commission most recently amended its rules applicable to submarine cable landing licenses in Review of Commission Consideration of Applications under the Cable Landing License Act, IB Docket No. 00-106, FCC 01-332, 16 FCC Rcd 22167 (2001), 67 Fed. Reg. 1615 (Jan. 14, 2002). An updated version of sections 1.767 and 1.768 of the rules is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>. See also http://hraunfoss.fcc.gov/edocs_public/attachmatch/DA-02-598A1.pdf for a March 13, 2002 Public Notice; http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-01-332A1.pdf for the December 14, 2001 Report and Order.

SCL-LIC-20061115-00010 E

BP Exploration and Production Company

Submarine Cable Landing License

Grant of Authority

Date of Action: 02/07/2007

Actions Taken: Grant of Cable Landing License to land and operate a non-common carrier fiber-optic submarine cable system in the Gulf of Mexico -- the Gulf of Mexico Fiber Optic Network (Gulf Fiber). The Gulf Fiber network will consist of cable landing stations in Freeport, Texas and Pascagoula, Mississippi and an undersea cable extending between them. The cable network is designed to improve communications services to oil platforms in the Gulf of Mexico. See Application for Cable Landing License - Streamlined Processing Requested, File No. SCL-LIC-20061115-00010 (filed November 15, 2006)(Application).

Accepted for Filing Public Notice: See BP Exploration and Production Company Application for a License to Land and Operate a Fiber-Optic Submarine Cable System in the Gulf of Mexico, for the Gulf of Mexico Fiber Optic Network, File No. SCL-LIC-20061115-00010, Public Notice, Streamlined Submarine Cable Landing License Applications Accepted for Filing, Report No. SCL-00020S (Int'l Bur., December 11, 2006).

Conditions and Requirements: BP Exploration and Production Company shall comply with the routine conditions set out in section 1.767(g)(1)-(14) of the Commission's rules. See 47 C.F.R. § 1.767(g)(1)-(14).

Licensee Information: BP Exploration and Production Company (BP), a limited liability corporation organized under the laws of Delaware, will own and operate the entire Gulf Fiber network between Freeport, TX and Pascagoula, MS, including each of its segments, wet links and the cable landing stations in Freeport, TX and Pascagoula, MS. BP is indirectly 100% owned by BP p.l.c., a United Kingdom corporation, through a series of wholly-owned, intermediate subsidiaries. There are no ten percent or greater shareholders of BP p.l.c. See Application at 3, Exhibit B.

Regulatory Status of Cable: BP will operate Gulf Fiber on a non-common-carrier basis. See Application at 1 and 4.

Cable Design and Capacity: The proposed network will be a digital fiber-optic system with a minimum design capacity of 320 Gbps per fiber pair on two fibers (a total of 640 Gbps). Each of the fiber pairs will be capable of carrying a minimum of 32 wavelengths of traffic. The application specifies the two (2) landing station locations for the proposed Gulf Fiber network, one in Freeport, Texas and the other in Pascagoula, Mississippi. See Application at 3.

SCL-MOD-20070201-00001 P

Reach Global Networks Limited

Modification

Grant of Authority

Date of Action: 02/07/2007

Request to modify the compliance condition imposed on the cable landing license granted to Reach Global Networks Limited (RGNL). RGNL holds a 13.849206% ownership and voting interest in the Japan-U.S. Cable Network, SCL-LIC-19981117-00025 (see SCL-T/C-20061204-00013, DA 07-231, rel. Jan. 26, 2007, granting transfer of control of RGNL on compliance with the provisions of a November 29, 2001 Agreement by and between Reach Ltd., Telstra Corporation Limited, and Pacific Century CyberWorks Limited, on the one hand, and the Federal Bureau of Investigation and the U.S. Department of Justice on the other hand (November 29, 2001 Agreement)). Specifically, Applicant requests that the Commission modify the compliance condition to refer to a January 8, 2007 side letter which amends and supplements the November 29, 2001 Agreement by making the U.S. Department of Homeland Security (DHS) a party to the November 29, 2001 Agreement as if it were an original signatory (January 8, 2007 Letter). Accordingly, we hereby modify the compliance condition imposed on RGNL in File No. SCL-T/C-20061204-00013, to refer to the January 8, 2007 Letter and make DHS a party to the November 29, 2001 Agreement. The November 29, 2001 Agreement and the January 8, 2007 Letter are publicly available in the record of this proceeding and maybe viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for SCL-MOD-20070201-00001 and accessing the "Attachment Menu" from the Document Viewing area.

Transfer of Control

Grant of Authority

Date of Action: 02/07/2007

Current Licensee: Impsat USA, Inc.**FROM:** Impsat Fiber Networks, Inc.**TO:** Global Crossing Limited

Action Taken: Grant of authority to transfer control of Impsat USA, Inc. (Impsat USA), from Impsat Fiber Network, Inc. (Impsat) to Global Crossing Limited (GCL). Impsat USA holds 0.03635% ownership interest in the AMERICAS-II cable, SCL-LIC-19980430-00006. The Americas II cable system is operated on a common carrier basis pursuant to ITC-214-19980430-00286 (Old File No. ITC-98-342) (see also ITC-T/C-20061128-00533). Impsat USA also holds a 0.02% ownership interest in New World Network Holdings, Ltd., a Bermuda company, which owns and operates, together with its wholly-owned operating subsidiaries, the ARCOS-I cable system, SCL-LIC-19981222-00032, which is operated on a non-common carrier basis. See Joint Application for Authority to Transfer Control of Holder of Submarine Cable Landing License - Streamlined Processing Requested, File No. SCL-LIC-20061128-00011 (filed November 28, 2006)(Application).

Accepted for Filing Public Notice: See Impsat Fiber Networks, Inc. and Global Crossing Limited Joint Application for Authority to Transfer Control of Holder of Submarine Cable Landing License, File No. SCL-T/C-20061128-00011, Public Notice, Streamlined Submarine Cable Landing License Applications Accepted for Filing, Report No. SCL-00021S (Int'l Bur., Dec. 15, 2006).

Licensee Information: Pursuant to an October 25, 2006 agreement and plan of merger entered into by Impsat and GC Crystal Acquisition, Inc. (GC Crystal Acquisition), a newly established indirect, wholly-owned subsidiary of GCL, U.K. Holdco 2 will be established and will acquire all of the issued and outstanding shares of common stock of Impsat, constituting all of the voting and equity interest in Impsat. The acquisition will be consummated through a merger of GC Crystal Acquisition, a wholly-owned, direct subsidiary of U.K. Holdco 2, with and into Impsat, with Impsat emerging as the surviving corporation under its existing name and as an indirect, wholly-owned subsidiary of GCL. Impsat USA will then be an indirect, wholly-owned subsidiary of GCL.

Upon formation, U.K. Holdco 2 will be a wholly-owned subsidiary of U.K. Holdco 1, which in turn will be a wholly-owned subsidiary of Dutch Co., which will be 100% owned by Global Crossing Holding Limited (GC Holding), a 100% direct subsidiary of GCL. STT Crossing Ltd. (STT Crossing), a Mauritius holding company, holds a 56.5% interest in GCL; no other entity holds 10 percent or greater interest in GCL. STT Crossing is 100% held by STT Communications Ltd (STT Communications), which in turn is 100% owned by Singapore Technologies Telemedia Pte Ltd (ST Telemedia), a wholly-owned subsidiary of Temasek Holdings (Private) Limited (Temasek). U.K. Holdco 1 and U.K. Holdco 2 will both be established under the laws of the United Kingdom. Dutch Co. will be established under the laws of the Netherlands. GCL is a Bermuda entity. STT Communications, ST Telemedia and Temasek are all Singapore entities.

Conditions and Requirements: See AT&T Corp et al. Joint Application for a License to Land and Operate a Digital Submarine Cable System Among Florida, Puerto Rico, the U.S. Virgin Islands, Martinique, Curacao, Trinidad, Venezuela, French Guiana and Brazil, the AMERICAS-II Cable System, File Nos. SCL-98-003, SCL-98-003A, Cable Landing License, DA 98-2295, 13 FCC Rcd. 22541, 22545-47, para. 14 (Int'l Bur. 1998) (Americas II Cable Landing License).

Applicants shall comply with the requirements of Section 1.768 (notifications and prior approval for submarine cable landing licensees that are or propose to become affiliated with a foreign carrier), 47 C.F.R. § 1.768.

Applicants agree to accept and abide by the reporting requirements set out in Section 1.767(l) of the Commission's rules, 47 C.F.R. § 1.767(l), for the U.S.-Singapore and U.S.-Indonesia routes.

We grant the Petition to Adopt Conditions to Authorizations and Licenses (Petition) filed in this proceeding on February 1, 2007, by the United States Department of Justice (DOJ), including the Federal Bureau of Investigation (FBI), together with the United States Department of Homeland Security (DHS). Accordingly, we condition grant of this transfer of control on Global Crossing Limited abiding by the commitments and undertakings contained in the Network Security Agreement, dated September 24, 2003, between Global Crossing Ltd., GC Acquisition Limited, and Singapore Technologies Telemedia Pte Ltd, and the Federal Bureau of Investigation, the U.S. Department of Justice, the Department of Defense, and the Department of Homeland Security (September 24, 2003 Agreement) and Amendment 1 to the September 24, 2003 Agreement. The September 24, 2003 Agreement is publicly available in Global Crossing Ltd. (Debtor-in-Possession), Transferor, and GC Acquisition Limited, Transferee, Applications for Consent to Transfer Control of Submarine Cable Landing Licenses, International and Domestic Section 214 Authorizations, and Common Carrier and Non-Common Carrier Radio Licenses, and Petition for Declaratory Ruling Pursuant to Section 310(b)(4) of the Communications Act, IB Docket No. 02-286, Order and Authorization, 18 FCC Rcd 20301 (IB/WCB/WTB 2003). The Petition and Amendment 1 to the September 24, 2003 Agreement are publicly available in the record of this proceeding and may be viewed on the FCC web-site through the International Bureau Filing System (IBFS) by searching for SCL-T/C-20061128-00011 and accessing the "Attachment Menu" from the Document Viewing area.

Regulatory Status of Cable: The Americas II cable system is operated on a common carrier basis. See Application at 1 and 8. See also

Regulatory Status of Cable: The Americas II cable system is operated on a common carrier basis. See Application at 1 and 8. See also Americas II Cable Landing License, 13 FCC Rcd. at 22541-42, paras. 1, 3; AT&T Corp et al. Joint Application for Authorization Pursuant to Section 214 of the Communications Act of 1934, as Amended, to Construct, Acquire, and Operate Capacity in a Digital Submarine Cable System, the AMERICAS-II Cable System, ITC-214-19980430-00286 (formerly, File Nos. ITC-98-342, ITC-98-342A), Memorandum Opinion, Order and Authorization, DA 98-2294, 13 FCC Rcd. 22535 (Int'l Bur. 1998).

Cable Design and Capacity: See AMERICAS-II Cable Landing License, 13 FCC Rcd. at 22542-44, paras. 3-8.
